

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Repeal Section 502.1
Title 14, California Code of Regulations
Re: North Coast Canada Goose Hunt

- I. Date of Initial Statement of Reasons: April 7, 2002
- II. Date of Pre-adoption Statement of Reasons: July 3, 2002
- III. Date of Final Statement of Reasons: August 6, 2002
- IV. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: May 9, 2002
Location: Fresno, California
 - (b) Discussion Hearing Date: June 20, 2002
Location: South Lake Tahoe, California
 - (c) Adoption Hearing: Date: August 2, 2002
Location: San Luis Obispo, California
- V. Update:

No modifications were made to the originally proposed language of the Initial Statement of Reasons.
- VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:

No (other) public comments, written or oral, were received during the public comment period.
- VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Allow the hunting of Canada Geese (Large or Small) during the entire Balance of State zone goose season in Humboldt and Del Norte counties with a daily bag limit of 1 Large or Small Canada goose.
2. Allow the hunting of Canada Geese during the entire Balance of State zone goose season in Humboldt and Del Norte counties with the same Canada goose bag limits as in the rest of the Zone (a daily bag limit of 2 dark geese which may include only one small Canada goose).

(b) No change Alternative:

This alternative would not allow the take of any Canada geese during the regular waterfowl season in Humboldt and Del Norte counties and would continue to allow the North Coast Canada Goose Hunt in September.

- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation. The alternatives were not recommended because they would lead to excessive harvest of both Western and Aleutian Canada geese, although these alternatives would make the goose hunting regulations less complex. The "no change" alternative is appropriate if the Flyway Council or Service deny the request to modify existing federal regulations that provide for closed zones for Canada goose hunting in Humboldt and Del Norte counties.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation(s) are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

- (h) Effect on Housing Costs: None.

Updated Informative Digest (Policy Statement Overview)

The proposed changes in goose regulations in Humboldt and Del Norte counties eliminate the limited entry, 9-day September season in Humboldt County in preparation for a general 5 day Canada goose season in Humboldt and Del Norte counties during the Balance of State Zone goose season. This change is dependent on federal action to allow the modification of the existing federal regulations.

Existing regulations (Section 502.1 Title 14, CCR) provide for a 9-day, permit only hunt for Canada geese in Humboldt County. Other existing regulations (Section 502 (D), Title 14, CCR) prohibit the take of Canada geese in Humboldt and Del Norte counties during the goose season in the Balance of State Zone.

The proposed change is dependent upon approval by the Flyway Council and the Service. Consideration of the proposal will be made by those entities by August 1, 2002.

The proposal would allow the take of 1 Large or Small Canada goose during a 5 day period of the regular Balance of State Zone goose season. This proposal would allow for greater hunter opportunity and is intended to reduce complaints of depredations by geese on agricultural lands. The shorter season and lower bag limit are necessary to conserve the locally nesting population of Western Canada geese.

The Service approved the 5 day Canada goose season in Humboldt and Del Norte counties during the Balance of State Zone goose season. As a result, the Fish and Game Commission approved the Department's recommendation at the August 2, 2002 Adoption Hearing.

Section 502.1, Title 14, CCR is repealed, pending approval from the U.S. Fish and Wildlife Service to allow changes in Section 502, Title 14, CCR.

~~§502.1. North Coast Canada Goose Hunt.~~

~~(a) Area: Humboldt County.~~

~~(b) Season: Beginning on the first Saturday in September and extending for nine consecutive days.~~

~~(c) Bag and Possession Limit: Two (2) Canada geese (*Branta canadensis*) per season.~~

~~(d) Number of Permits: 200~~

~~(e) Distribution of Permits: Permits will be issued via public drawing. Individuals must submit a standard U.S. Postal Service postcard to: CANADA GOOSE HUNT DRAWING, Department of Fish and Game, 619 Second Street, Eureka, CA 95501; each postcard shall include: first and last name of hunter, mailing address, telephone number, and current hunting license number. Individuals may submit only one application, and only one individual may apply per application. No group applications will be accepted. Individuals submitting incomplete applications or more than one application will not be eligible for the drawing. All applications must be received in the Department's Eureka Office by 5:00 p.m. on the second Tuesday in August. Successful applicants will be notified by mail. Unsuccessful applicants will not be notified.~~

~~(f) Special Conditions:~~

~~1. All hunters must possess a North Coast Canada Goose Permit, valid California hunting license, and required Federal and California duck stamps while hunting.~~

~~2. Hunters shall retrieve and tag all geese, with a tag provided by the Department, immediately after taking each goose.~~

~~3. Successful hunters must immediately and completely fill out all information contained on their permit.~~

~~4. All hunters, successful and unsuccessful, must return their North Coast Canada Goose Hunt Permit to the Department's Eureka Office within ten days of the close of the North Coast Goose Hunt Season.~~

~~NOTE Authority cited: Sections 200, 202, 203 and 355, Fish and Game Code.~~

~~Reference: Sections 200, 355 and 356, Fish and Game Code.~~